

ZONING AND ADJUSTMENT BOARD

April 20, 2009

The Zoning and Adjustment Board of Sumter County, Florida, convened on Monday, April 20, 2009, at 6:30 pm with the following members present: Larry Story – Chairman, Ron Berry, Nathan Yoder, Dossie Singleton, Frank Topping, Bailey Cassels, Frank Szczepanski, Woody Hill, Jessica Garner, Brad Shepherd, and Bob Hunt.

Members Marge Thies and Richard Cole were absent.

Brad Cornelius, Planning Manager, and Sandy Cassels, Recording Secretary, were present. Derrill McAteer, Zoning and Adjustment Board Attorney, was also present.

Chairman Larry Story called the meeting to order.

Ms. Garner led the pledge of allegiance and Mr. Hunt led the prayer.

Mr. Story presented the proof of publication.

Mr. Berry made a motion to approve the minutes from the April 6, 2009, meeting. Mr. Yoder seconded the motion, and the motion carried.

T2009-0013

Lorraine Seigle –Temporary Use Permit for one year to allow a RV while residence is under construction.

Lorraine Seigle, applicant, was present and requested a Temporary Use Permit for one year to allow a RV while residence is under construction. There were six notices sent. Of the six notices sent, two were returned in favor and none were returned in objection. There were no objections from the audience. Mr. Cornelius stated Ms. Seigle obtained her building permit on April 17, 2009.

Mr. Topping made a motion to approve the Temporary Use Permit for one year to allow a RV while the residence is under construction. Mr. Shephard seconded the motion, and the motion carried.

SS2009-0001

Evan & Joel Merritt, et al – Small Scale Land Use Amendment on 10 acres MOL from Rural Residential and remove from the Urban Development Boundary

The applicant was not required to attend this meeting, as this case was being re-heard due to an error in the legal notifications. The Zoning & Adjustment Board (ZAB) originally recommended approval at their meeting on March 2, 2009.

Mr. Topping made a motion to recommend approval of this Small Scale Land Use Amendment to the Board of County Commissioners. Mr. Shephard seconded the motion, and the motion carried.

R2009-0003

Evan & Joel Merritt, et al – Rezone 10 acres MOL from RR1C to A10C

The applicant was not required to attend this meeting, as this case was being re-heard due to an error in the legal notifications. The ZAB originally recommended approval at their meeting on March 2, 2009.

Mr. Topping made a motion to recommend approval of this rezoning to the Board of County Commissioners. Mr. Shephard seconded the motion, and the motion carried.

S2009-0001

David & Barbara Shelley, et al – Minor Special Use Permit to allow land application of liquid septage residuals.

Mr. McAteer explained the Zoning & Adjustment Board received two requests to continue (table) this case. One request came from Jack Brandon, attorney, and the other from James Wade, attorney. Both attorneys are representing land owners in the surrounding area.

Mr. Brandon, representing J.K. Stewart Ranch, explained he did not have sufficient time to review the application and information submitted in order to respond or question the applicant.

Mr. Wade, representing Mr. Carter, explained he did not have sufficient time to review the information submitted or the staff report and requested a thirty day extension.

Mr. Topping stated he believed a continuance at the request of the surrounding property owners had merit, as the Board previously tabled the application at the request of staff and the applicant. Mr. Shephard stated we should have a “sunset date” for new information if a new hearing date is set. The “sunset date” would be a date set where no new evidence would be accepted or cause the case to be continued again.

Al Ford, attorney for the applicant, explained he did not believe there was any new evidence to be brought before the Zoning and Adjustment Board.

Mr. Berry made a motion to continue (table) application S2009-0001 as requested by Mr. Brandon and Mr. Wade, to May 16, 2009. Mr. Szczepanski seconded the motion with the condition this is the last time the case be continued. The motion carried with the following vote: Mr. Story – aye, Mr. Berry –aye, Mr. Yoder – aye, Mr. Singleton – aye, Mr. Topping – aye, Mr. Cassels – aye, Mr. Szczepanski – aye, Mr. Hill – aye, Ms. Garner – aye, Mr. Shephard – nay, and Mr. Hunt – aye.

It was discovered after the vote that May 16, 2009, is a Saturday; the actual date of the Board hearing is May 18, 2009.

Mr. Berry recalled his motion to continue application S2009-0001 to May 16, 2009 and made a motion to continue the application until May 18, 2009, with the condition this is the last time this case will be continued. Mr. Szczepanski seconded the motion and the motion carried the following vote: Mr. Story – aye, Mr. Berry –aye, Mr. Yoder – aye, Mr. Singleton – aye, Mr. Topping – aye, Mr. Cassels – aye, Mr. Szczepanski – aye, Mr. Hill – aye, Ms. Garner – aye, Mr. Shephard – nay, and Mr. Hunt – aye.

Mr. Topping made a motion to adjourn at 7:00 p.m. Mr. Berry seconded the motion, and the motion carried.

Larry Story, Chairman
Zoning and Adjustment Board